UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2008 JUN 24 AM 11:59

UNITED STATES OF AMERICA, Plaintiff, v. **Guillermo CHAVEZ-Chavez,** **AKA: Guellermo CHAVEZ** Defendant	Magistrate Docket No. '08 MJ 1941 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **June 20, 2008**, within the Southern District of California, defendant, **Guillermo CHAVEZ-Chavez, AKA: Guellermo CHAVEZ,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Tomas M. Jimenez
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **24th DAY** OF **JUNE 2008.**

LOUISA S. PORTER
United States Magistrate Judge

GTN

CONTINUATION OF COMPLAINT:
Guillermo CHAVEZ-Chavez
AKA: Guellermo CHAVEZ

PROBABLE CAUSE STATEMENT

On June 20, 2008, at approximately 1:20 a.m., Border Patrol Agent Steven Waite encountered Guillermo CHAVEZ-CHAVEZ, AKA: Guellermo CHAVEZ, attempting to conceal himself in the brush Southwest of Emery Road in Tecate, California. The area is within the Southern District of California. During a field interview CHAVEZ stated that he was in the United States illegally and that he had no immigration documents allowing him to enter or remain in the United States legally. CHAVEZ was arrested and transported to the Tecate, California Processing Center.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **October 25, 2006** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.